



# GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

## 2006 REGULAR SESSION

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SENATE BILL NO. 179

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THURSDAY, MARCH 9, 2006

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The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE April 21, 2006  
3:07pm  
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TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Saller

AN ACT relating to notary publics.

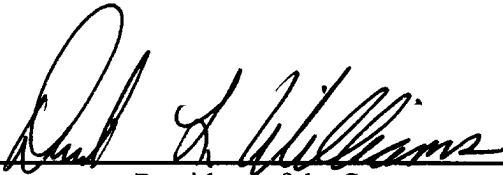
***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

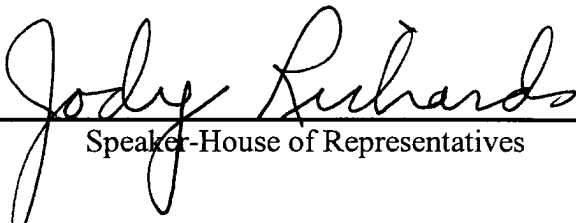
1       Section 1. KRS 423.010 is amended to read as follows:

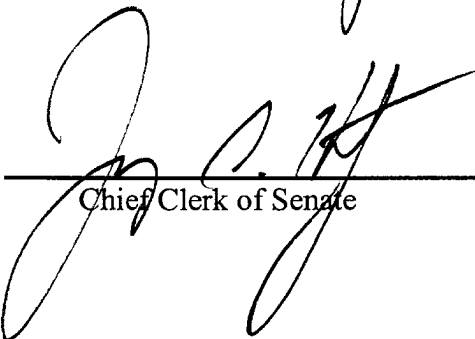
2       (1) The Secretary of State may appoint as many notaries public as he or she deems  
3       necessary, who shall hold office for four (4) years. Any resident of the  
4       Commonwealth of Kentucky desiring to be appointed a notary public shall make  
5       written application to the Secretary of State. The application shall be approved by  
6       the Circuit Judge, circuit clerk, county judge/executive, county clerk, justice of the  
7       peace, or a member of the General Assembly of the county of the residence of the  
8       applicant or in the county in which the applicant's principal place of employment is  
9       located. A person who is not a resident of Kentucky but who is employed in  
10      Kentucky may become a notary public by making an application to the Secretary of  
11      State which has been approved by an officer specified in this section from the  
12      county in which the applicant is principally employed in Kentucky. No officer shall  
13      charge or accept any fee for approving the application. A notary public shall be  
14      eighteen (18) years of age, a resident of the county from which he or she makes his  
15      or her application or be principally employed in the county from which he or she  
16      makes his or her application, of good moral character, and capable of discharging  
17      the duties imposed upon him or her by this chapter, and the endorsement of the  
18      officer approving the application shall so state. The Secretary of State, in his or her  
19      certificate of appointment to the applicant, shall designate the limits within which  
20      the notary is to act. Before a notary acts, he or she shall take an oath before any  
21      person authorized to administer an oath as set forth in KRS 62.020 that he or she  
22      will honestly and diligently discharge the duties of his or her office. He or she shall  
23      in the same court give an obligation with good security, which shall be proven by a  
24      notarized statement from, and not the personal appearance of, the person  
25      providing the security, for the proper discharge of the duties of his or her office.

1 Every certificate of a notary public shall state the date of the expiration of his or her  
2 commission. The Secretary of State shall give to each notary appointed a certificate  
3 of his or her appointment under the seal of the Commonwealth of Kentucky in lieu  
4 of a commission heretofore required to be issued to the notary by the Governor of  
5 Kentucky, and receive a fee of ten dollars (\$10) for the certificate.

6 (2) A county clerk shall have the powers of a notary public in the exercise of the  
7 official functions of the office of clerk within his or her county, and the official  
8 actions of the county clerk shall not require the witness or signature of a notary  
9 appointed pursuant to subsection (1) of this section.

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker-House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date 4/21/06